

UNITED STATES DISTRICT COURT  
for the  
District of Arizona

11/6/17  
D.A.  
United States of America  
v.  
Valentin Lopez Velasco,  
a.k.a.: Valentin Lopez-Velasco,  
(A098 924 566)  
Defendant

Case No.

17-7554 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of October 30, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Valentin Lopez Velasco, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about February 8, 2017, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated by Reference Herein

CEB  
REVIEWED BY: Charles E. Bailey, P.S. for AUSA Jacqueline Schesnol

☒ Continued on the attached sheet.

Complainant's signature

Richard G. Prunty,  
Deportation Officer  
Printed name and title

Sworn to before me and signed in my presence.

Date: November 7, 2017

Judge's signature

City and state: Phoenix, Arizona

Bridget S. Bade,  
United States Magistrate Judge  
Printed name and title

### **STATEMENT OF PROBABLE CAUSE**

I, Richard G. Prunty, being duly sworn, hereby depose and state as follows:

- 1 Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
  
- 2 On October 30, 2017, Valentin Lopez Velasco was booked into the Maricopa County Jail (MCJ) intake facility by the Mesa Police Department on local charges. While incarcerated at the MCJ, Lopez Velasco was examined by ICE Officer S. Rose who determined him to be a Mexican citizen, illegally present in the United States. On the same date, an immigration detainer was lodged with the MCJ. On November 6, 2017, Lopez Velasco was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Lopez Velasco was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
  
- 3 Immigration history checks revealed Valentin Lopez Velasco to be a citizen of Mexico and a previously deported criminal alien. Lopez Velasco was removed from the United States to Mexico through Del Rio, Texas, on or about February 8, 2017, pursuant to the reinstatement of an order of removal issued by an immigration official.

There is no record of Lopez Velasco in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Lopez Velasco's immigration history was matched to him by electronic fingerprint comparison.

- 4 On November 6, 2017, Valentin Lopez Velasco was advised of his constitutional rights. Lopez Velasco freely and willingly acknowledged his rights and agreed to provide a statement under oath. Lopez Velasco stated that his true and complete name is Valentin Lopez Velasco and that he is a citizen of Mexico. Lopez Velasco stated he last entered the United States "Un ano ½," through Nogales, Sonora, without inspection by an immigration officer. Lopez Velasco further stated he had been deported from the United States on four (4) occasions, and he did not receive permission from the Secretary of the Department of Homeland Security to re-enter the United States after his removal.

- 5 For these reasons, this affiant submits that there is probable cause to believe that on or about October 30, 2017, Valentin Lopez Velasco, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about February 8, 2017, and not having obtained the

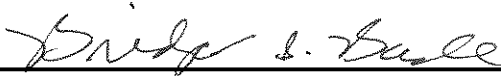
express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).



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Richard G. Prunty,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 7<sup>th</sup> day of November, 2017.



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Bridget S. Bade,  
United States Magistrate Judge